



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Approve Plans and Specifications and Authorize Advertisement for Bids for Water Well No. 27 On-Site Improvements and Adopt Resolution Authorizing City Manager to Execute an Incidental Take Minimization Measures for the Project

MEETING DATE: June 2, 2010

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Approve plans and specification and authorize advertisement for bids for the Water Well No. 27 on-site improvements and adopt a resolution authorizing the City Manager to execute an Incidental Take Minimization Measures (ITMM) for the project.

BACKGROUND INFORMATION: The project will consist of the contractor furnishing and installing a 150-horsepower deep well turbine pump and motor, 384 linear feet of 8-foot chain link fence with gates, miscellaneous site improvements, and other incidental and related work, all as shown on the plans and specifications for the "Well No. 27 On-Site Improvements, 2360 West Century Boulevard project.

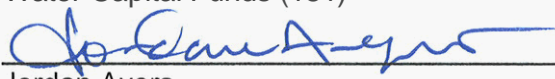
Well No. 27 was drilled and well casing installed in 2006. The proposed project is the final phase of the well improvement. The well is located within the site of the G-Basin/DeBenedetti Park and will ultimately be within the future park maintenance facility enclosure, as shown on Exhibit A. The completed well will provide additional peak demand water and fire protection for the southern edge of the City, as well as irrigation water for the park site.

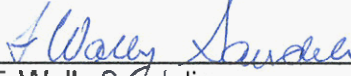
This project was reviewed by the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan for habitat conservation and the City is required to execute an ITMM (Exhibit B) prior to ground disturbance at the project site. No fees are required to be paid for the ITMM. Staff recommends that Council authorize the City Manager to execute the ITMM.

The plans and specifications are on file in the Public Works Department. The planned bid opening date is June 30, 2010. The construction cost estimate is \$213,000.

FISCAL IMPACT: Operation and maintenance costs within the Water Utility will slightly increase and will be covered by water rates.

FUNDING AVAILABLE: Water Capital Funds (181)


Jordan Ayers
Deputy City Manager/Internal Service Director


F. Wally Sandelin
Public Works Director

Prepared by : Lyman Chang, Senior Civil Engineer
FWS/LC/pmf
Attachments
cc: Purchasing Division
Deputy Public Works Director Swimley
Senior Civil Engineer Chang

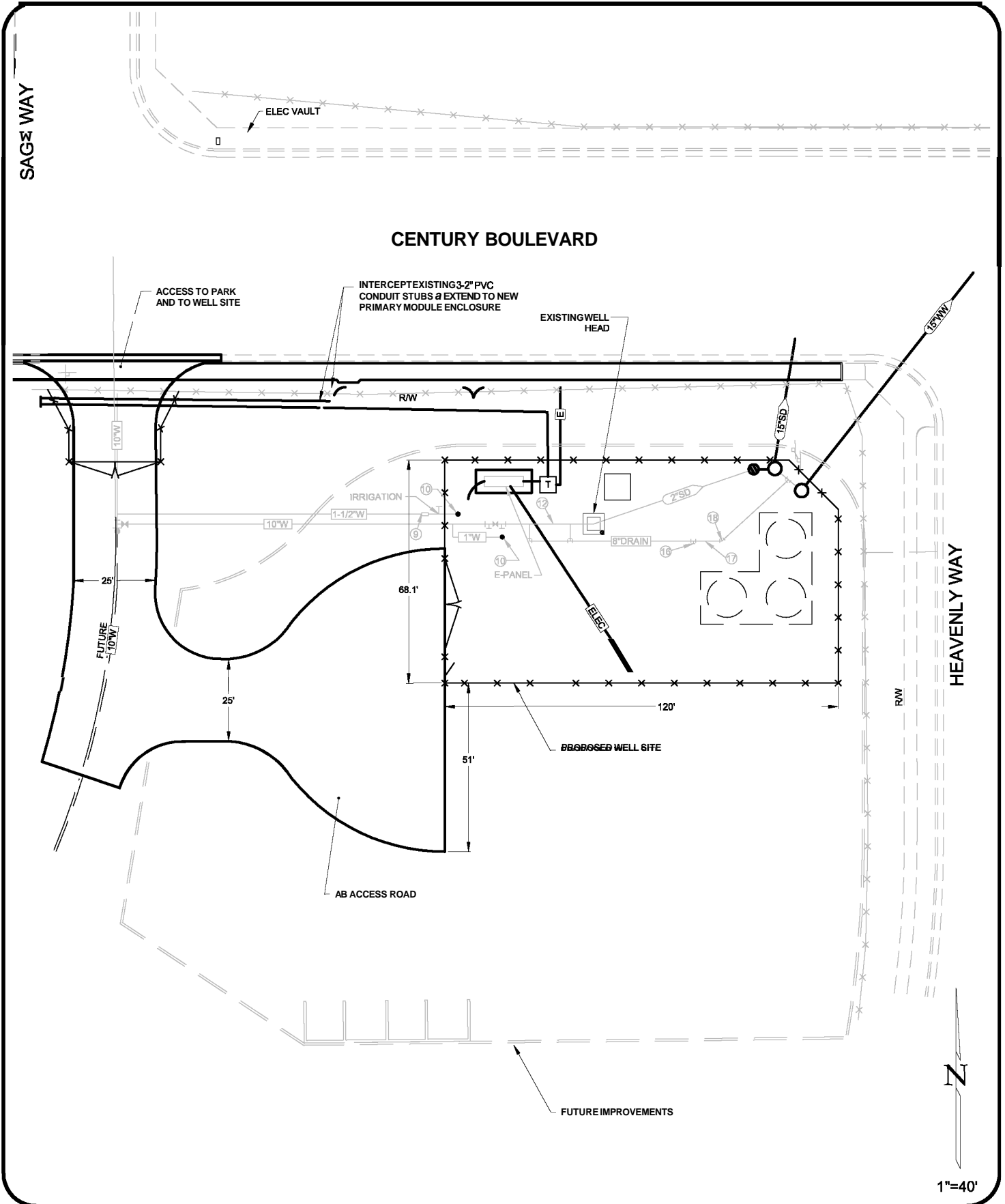
APPROVED: 
Konradt Bartlam, Interim City Manager



CITY OF LODI

PUBLIC WORKS DEPARTMENT

WELL 27 CENTURY BLVD & HEAVENLY WY ON-SITE IMPROVEMENTS





S J C O G, Inc.

555 East Weber Avenue • Stockton, CA 95202

(209) 235-0600 • FAX (209) 235-0438

*San Joaquin County Multi-Species Habitat Conservation &
Open Space Plan (SJMSCP)*

City of Lodi Well 27

G-Basin Storm Drain Improvements:

APN: 058-230-24

SJMSCP Incidental Take Minimization Measures

Date: February 9, 2010

Findings: Potential habitat for Swainson's hawk

Total Disturbed Acres Anticipated: 0.8 acres

Habitat Types to be Disturbed: U—Urban

Project Jurisdiction: City of Lodi

Advisory Statements

After inspecting the project site, and project site conditions, the San Joaquin Council of Governments (SJCOG) provides the following *advisory statements* to the applicant. No further action is required with the SJCOG with respect to the following statements. SJCOG does not accept any liability for the accuracy of these statements since each regulatory agency discussed below must determine the extent of its own regulatory authority with respect to the proposed project. Nonetheless, we are reasonably confident that the advice provided in this paragraph is sound. The proposed project as reviewed will not likely affect areas/habitats that would be regulated by the California Department of Fish and Game (CDFG) pursuant to Section 1602 of the Fish and Game Code (i.e., will not require a streambed alteration agreement).

It should be noted that two important federal agencies (U.S. Army Corps of Engineers and the California Regional Water Quality Control Board) have not issued permits to the SJCOG and so payment of the fee to use the SJMSCP will not modify requirements now imposed by these two agencies. **Potential waters of the United States [pursuant to Section 404 Clean Water Act] may occur on the project site.** It therefore may be prudent to obtain a preliminary wetlands map from a qualified consultant. If waters of the United States are confirmed on the project site, the Corps and the Regional Water Quality Control Board (RWQCB) would have regulatory authority over those mapped areas [pursuant to Section 404 and 401 of the Clean Water Act respectively] and permits would likely be required from each of these resource agencies prior to impacting these features on the project site.

Conditions

Prior to Issuance of a Building Permit:

1. No fee payment to SJCOG, Inc. is required for the disturbance of 0.8 acres of Urban Habitat (U) because the project is within the Category A No pay zone.

Note: If fees are not paid prior to January 1, 2011 this project will be subject to the subsequent fee increase, and the fee above will no longer be applicable.

Between 14 and 30 calendar days before ground disturbance:

1. No applicable conditions

Prior to commencing ground disturbance:

2. Preconstruction surveys are required to verify implementation of the following incidental take minimization measures:
 - Swainson's hawk: If a nest tree becomes occupied during construction activities, then all construction activities shall remain a distance of two times the dripline of the tree, measured from the nest. If the Project Proponent elects to remove a nest tree, then nest trees may be removed between September 1 and February 15, when the nests are unoccupied.

During project construction:

3. All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in closed containers and removed at least once a week from the construction site.

In reliance on the Section 10(a)(1)(B) Permit issued by the United States Fish and Wildlife Service and the Section 2081(b) Incidental Take Permit issued by the California Department of Fish and Game, the city of Lodi has consulted with and agreed to allow coverage pursuant to the SJMSCP for the *City of Lodi Well 27*, its successors, agents and assigns pursuant to the "Implementation Agreement for the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan" which will allow the *City of Lodi Well 27*, its successors, agents and assigns to construct, operate and maintain the Project commonly known as the *City of Lodi Well 27*, which could result in a legally permitted Incidental Take of the SJMSCP Covered Species in accordance with and subject to the terms and conditions of the *City of Lodi Well 27*, which is located at APN: 058-230-24, approved by San Joaquin County. This Certification applies only to activities on the subject parcel(s) which are carried out in full compliance with the approved plans for the *City of Lodi Well 27*, Section 10(a)(1)(B) Permit, and Section 2081(b) Incidental Take Permit conditions.

I have read, acknowledge, and agree to the preceding conditions:

for *City of Lodi Well 27*

Date

Please Print Name Here

RESOLUTION NO. 2010-71

A RESOLUTION OF THE LODI CITY COUNCIL AUTHORIZING
CITY MANAGER TO EXECUTE SAN JOAQUIN COUNTY
MULTI-SPECIES HABITAT CONSERVATION AND OPEN SPACE
PLAN INCIDENTAL TAKE MINIMIZATION MEASURES FOR
WATER WELL NO. 27 ON-SITE IMPROVEMENTS

=====

WHEREAS, this project has been reviewed by San Joaquin County Multi-Species Habitat Conservation and Open Space Plan for habitat conservation, and the City is required to execute an Incidental Take Minimization Measures (ITMM) prior to the ground disturbance at the project site. Staff recommends that Council authorize the City Manager to execute the ITMM on behalf of the City.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby authorize the City Manager to execute the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan Incidental Take Minimization Measures on behalf of the City for the Water Well No. 27 On-Site Improvements Project.

Dated: June 2, 2010

=====

I hereby certify that Resolution No. 2010-71 was passed and adopted by the City Council of the City of Lodi in a regular meeting held June 2, 2010, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Hitchcock, Johnson, Mounce, and Mayor Katzakian

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None


RANDI JOHL
City Clerk